

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GERALD J. IWANEJKO, JR., GERALD J.)
IWANEJKO, SR., and PATRICIA)
IWANEJKO,)

Plaintiffs,)

v.)

COHEN & GRIGSBY, P.C., THE CITY OF)
PITTSBURGH, PA., and PITTSBURGH)
POLICE OFFICERS JAMES L. AKER,)
DONALD SAVKO AND JOSEPH)
NICHOLAS,)

Defendants.)

2:03cv1855

ORDER OF COURT

AND NOW, this 5th day of January, 2006, upon consideration of PLAINTIFFS' RENEWED MOTION TO COMPEL DISCOVERY (*Document No. 114*) and DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION TO COMPEL DISCOVERY (*Document No. 115*), and it appearing that Plaintiffs' request for information and/or documents relating to compensation and benefits may lead to the discovery of relevant and admissible evidence, that no privilege protects said information and/or documents from discovery, that despite the absence of an applicable privilege this sensitive and otherwise confidential information should only be disclosed pursuant to the terms of the Protective Order of October 5, 2005 (*Document No. 109*), and that Plaintiffs have not established that they are entitled to reimbursement for any expenses and/or the continuation/resumption of any depositions,

NOW THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that Plaintiffs' Renewed Motion to Compel Discovery is **GRANTED IN PART and DENIED IN PART**, as follows:

- 1) Defendant C&G is **ORDERED** to provide a complete and proper response to Plaintiffs' Document Request No. 7 in PLAINTIFFS' SECOND SET OF DOCUMENT REQUESTS DIRECTED TO DEFENDANTS. In particular, C&G shall produce all records which reflect the salaries, bonuses and all benefits received by Plaintiff Gerald J. Iwanejko, as well as his former colleague, Christine

W. Trebilcock, Esq., from the inception of their employment with the firm in October 1999 to the present date, along with a record of the annual billable hours accrued by each of them during that time;

- 2) The disclosure of the foregoing information shall be subject to the Protective Order of October 5, 2005; and
- 3) Plaintiffs' request that the Court order C&G to cure all prejudice suffered by Plaintiffs due to C&G's failure to respond to the discovery request at issue, including the reimbursement of expenses and the continuation/resumption of depositions, is **DENIED**.

s/ Terrence F. McVerry
United States District Court Judge

cc: Gerald Joseph Iwanejko, Jr., Esquire
Email: giwanejko@earthlink.net

Edward A. Yurcon, Esquire
Email: edyurcon@ambylaw.com

Jamie L. Hudson, Esquire
Email: jhudson@ambylaw.com

Bryan Campbell, Esquire
Email: bryancmpbl@yahoo.com

Jacqueline R. Morrow, Esquire
Email: jacqueline.morrow@city.pittsburgh.pa.us

Matthew F. Dolfi, Esquire
Email: matthew.dolfi@city.pittsburgh.pa.us

Susan E. Malie, Esquire
Email: susan.malie@city.pittsburgh.pa.us